



2021 Election Legislation Review (& A Bit More)

Wendy Underhill, Director, NCSL's Elections and Redistricting Program

March 15, 2022

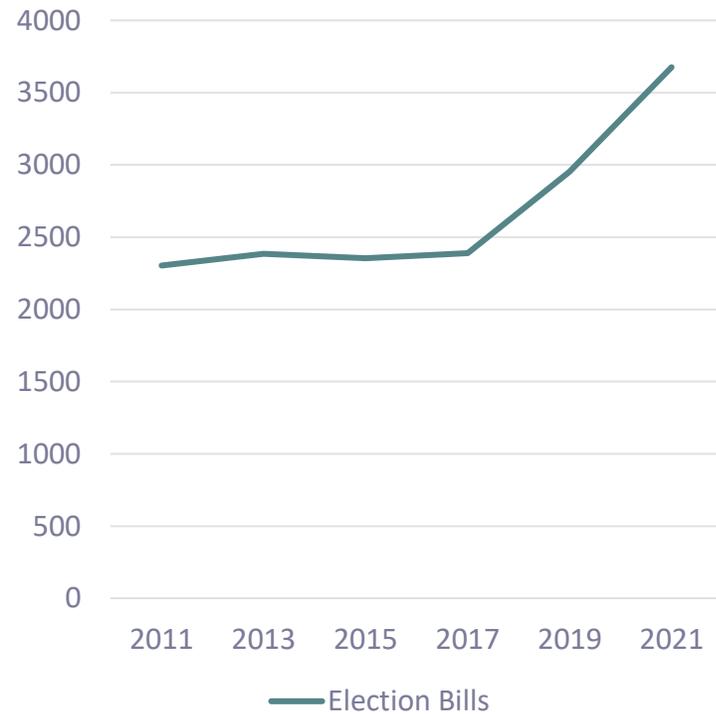


Strengthening
the legislative
institution.

Serving 7,383
legislators and
25,000 staff.

2021 Was a Busy Year

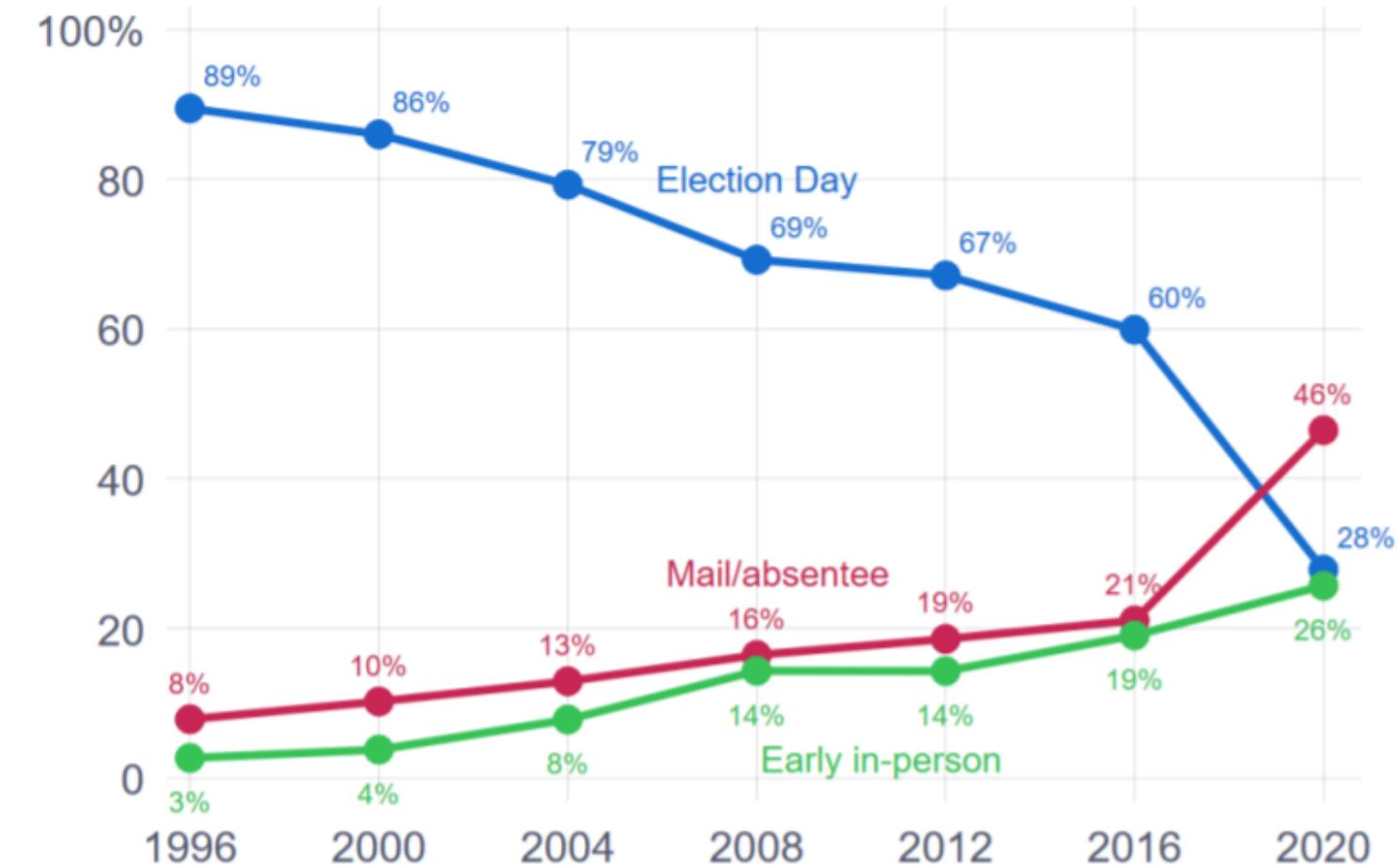
Election Bills



Enactments



Changes in Voting Modes



Data sources: Census Bureau, Voting and Registration Supplement, 1996 - 2016; SPAE, 2020

Chart from the MIT Election Data + Science Lab

Voter Registration

Voter Registration Application
Before completing this form, review the General, Application, and State specific instructions.

Are you a citizen of the United States of America?
Will you be 18 years old on or before election day?
If you checked "No" in response to either of these questions, do not complete form.
(Please see state-specific instructions for rules regarding eligibility to register prior to age 18.)

This space for office use only.

1	Last Name	First Name	Middle Name(s)
2	Home Address		
3	Address Where You Get Your Mail If Different From Above		
4	Date of Birth Month Day Year	Apt. or Lot #	City/Town State
5	Telephone Number (optional)		
6	ID #		
7	Choice of Party (see item 7 in the instructions for your State)	8	Race or Ethnic Group (see item 8 in the instructions for your State)

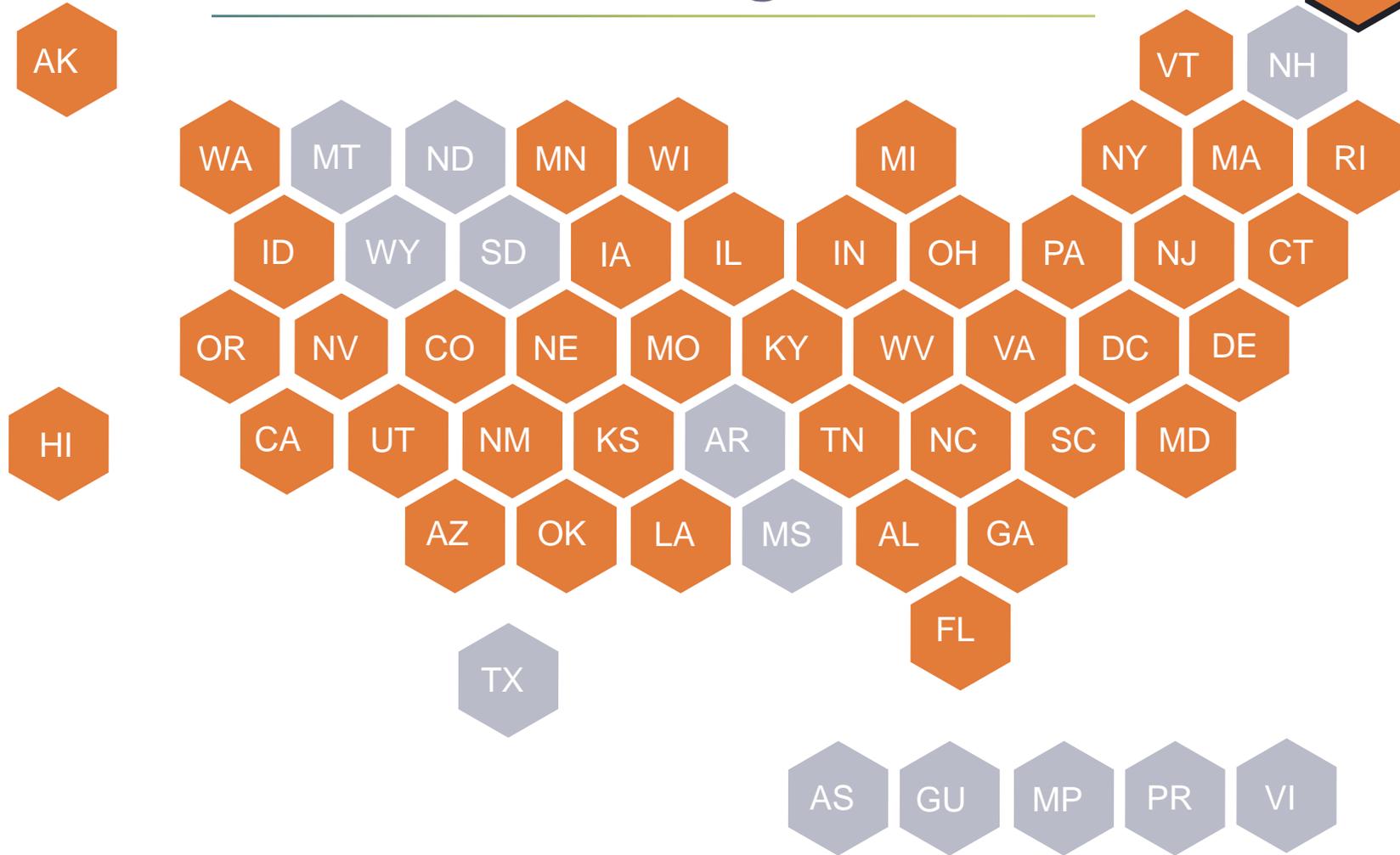
state's instructions and I swear/affirm that:
state and

Please sign full name

Automatic Voter Registration

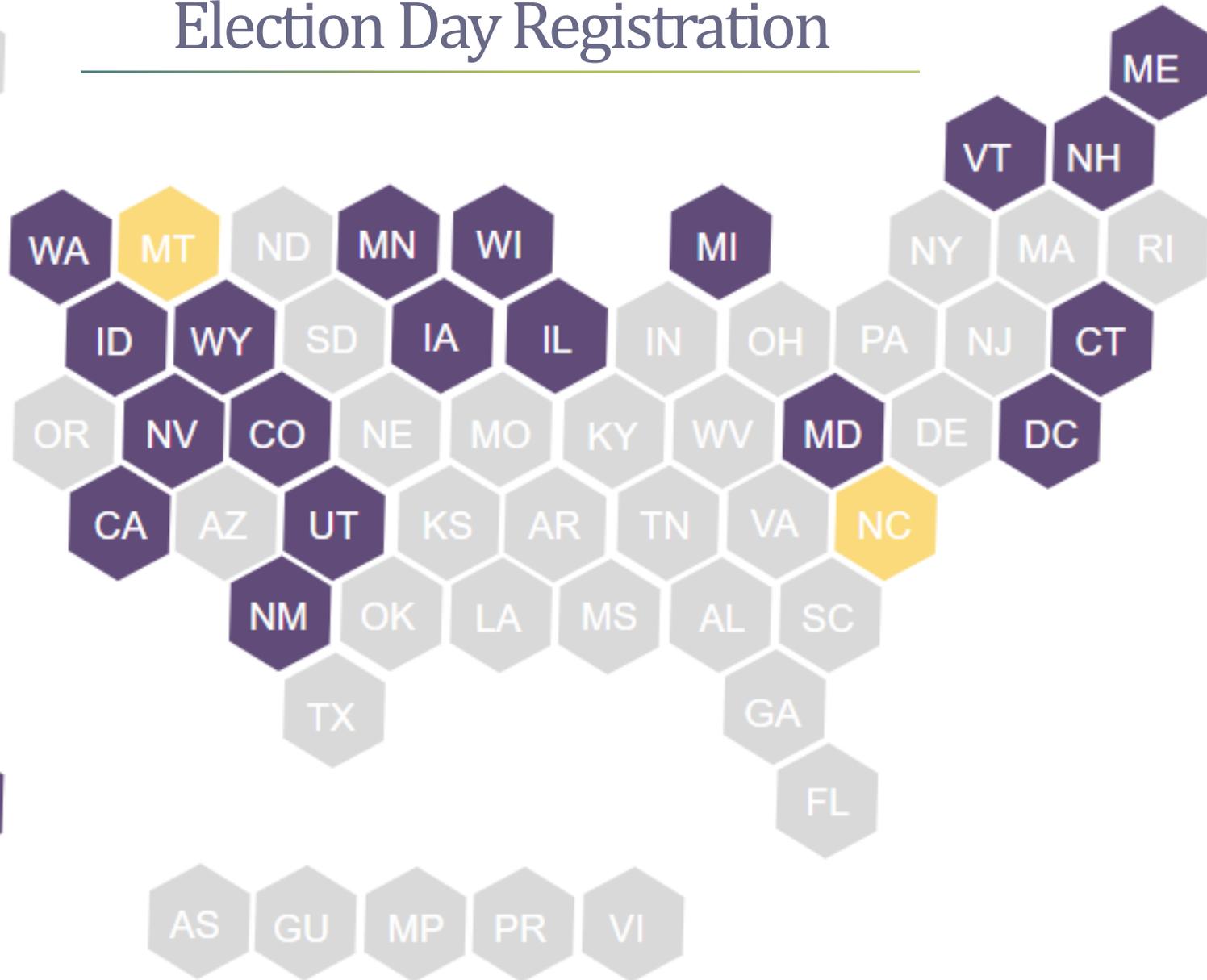


Online Voter Registration



Election Day Registration

AK



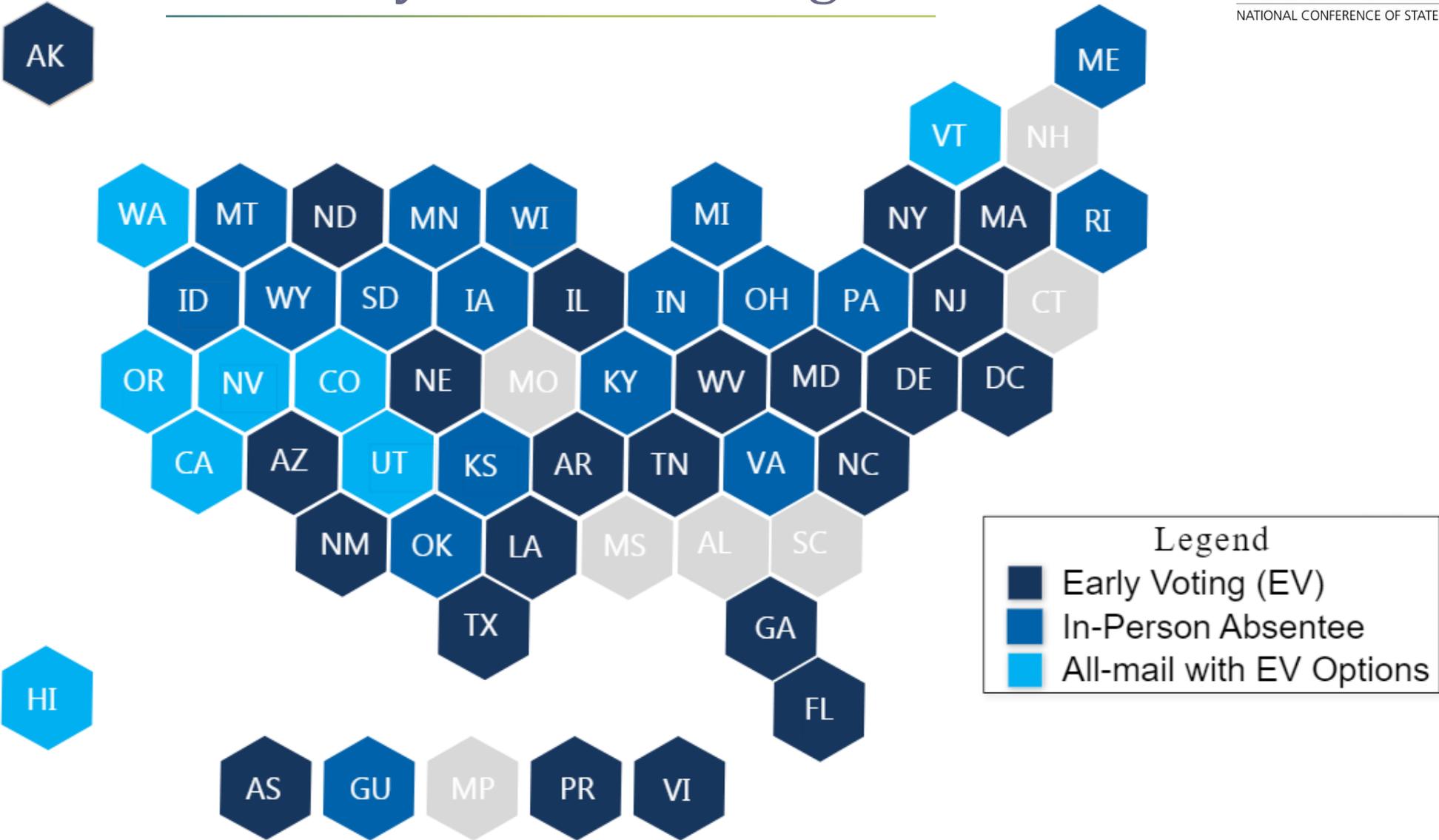
- WY: Established voter ID requirements
- AR, MT: Made voter ID requirements more strict



Voter ID

For *in-person* voting

Early In-Person Voting





Early In-Person Voting

- IN, KY, LA, OK: Expanded # of days
- IA: Shortened # of days
- GA: Standardized # of days
- GA, TX: Limited certain types of early in-person voting

Absentee/Mail Voting



- KY and NY: Established an online absentee ballot request portal
- NY: Moved return deadline from the day before Election Day to Election Day
- IA: Removed “postmarked by” date
- OR: Added “postmarked by date



Finetuning Absentee/Mail Voting



Ballot Collection

- IA, KY, MT: Limited who can return ballots



Drop Boxes

- FL, GA, HI, IA, IL, KY, MD, MN, VA: Made a variety of security, quantity, and location changes



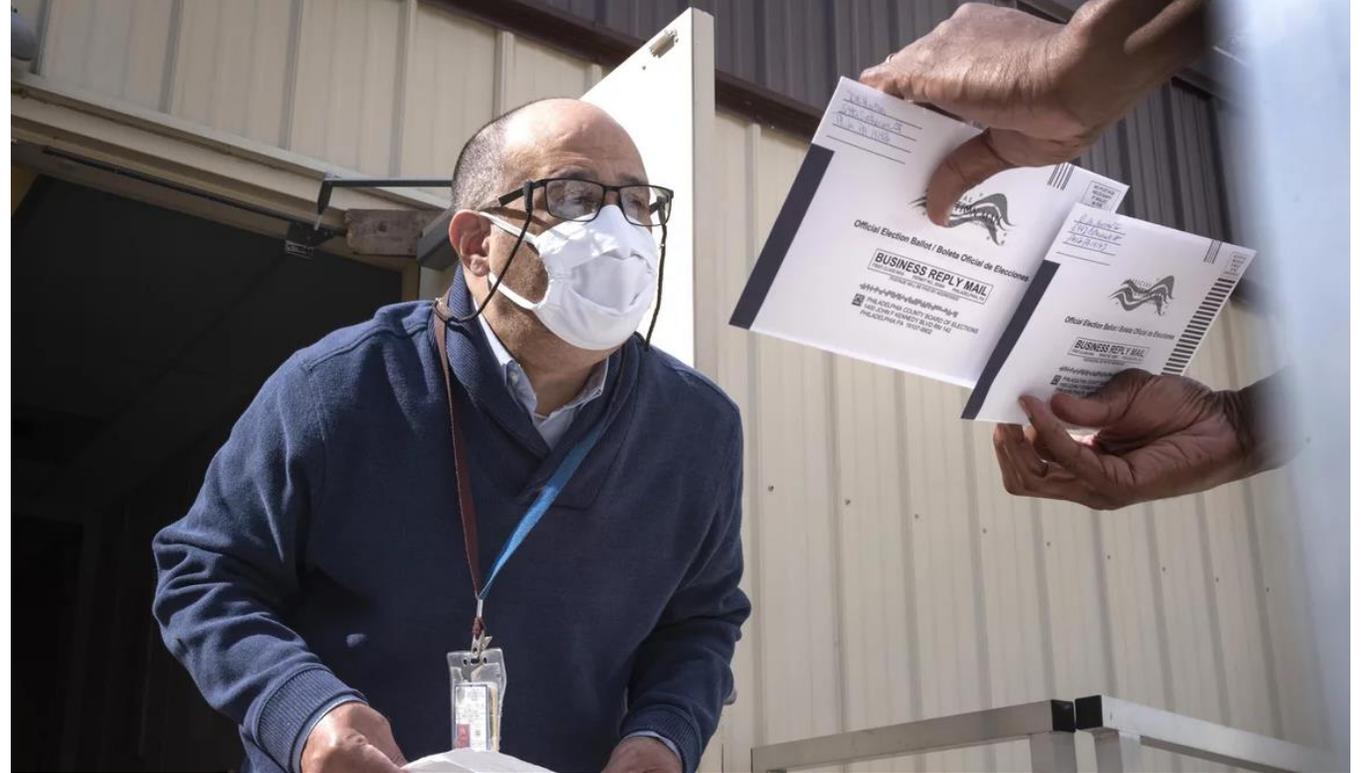
- 44 states have some kind of ballot tracking system
- IA, NY, TX, UT: Passed legislation to establish ballot tracking systems

Ballot Tracking

- 37 states allow processing to begin before Election Day
- IN, LA and ME: Passed legislation to begin processing earlier

Ballot Processing Dates

- 23 states allow voters to cure their ballots
- IN, KY, TX, VA, VT: Created ballot cure processes



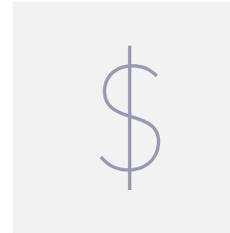
Ballot Cure Processes

- AZ, AR, FL, GA, ID, IN, KS, ND, OH, TN, TX: Prohibited or limited the use of private funds in elections

Funding Elections



Election Funding Options



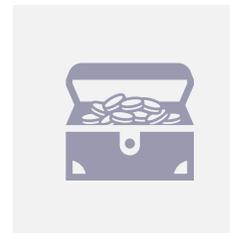
Federal

Not consistent



Local

The traditional source



State

Some states cover more than others

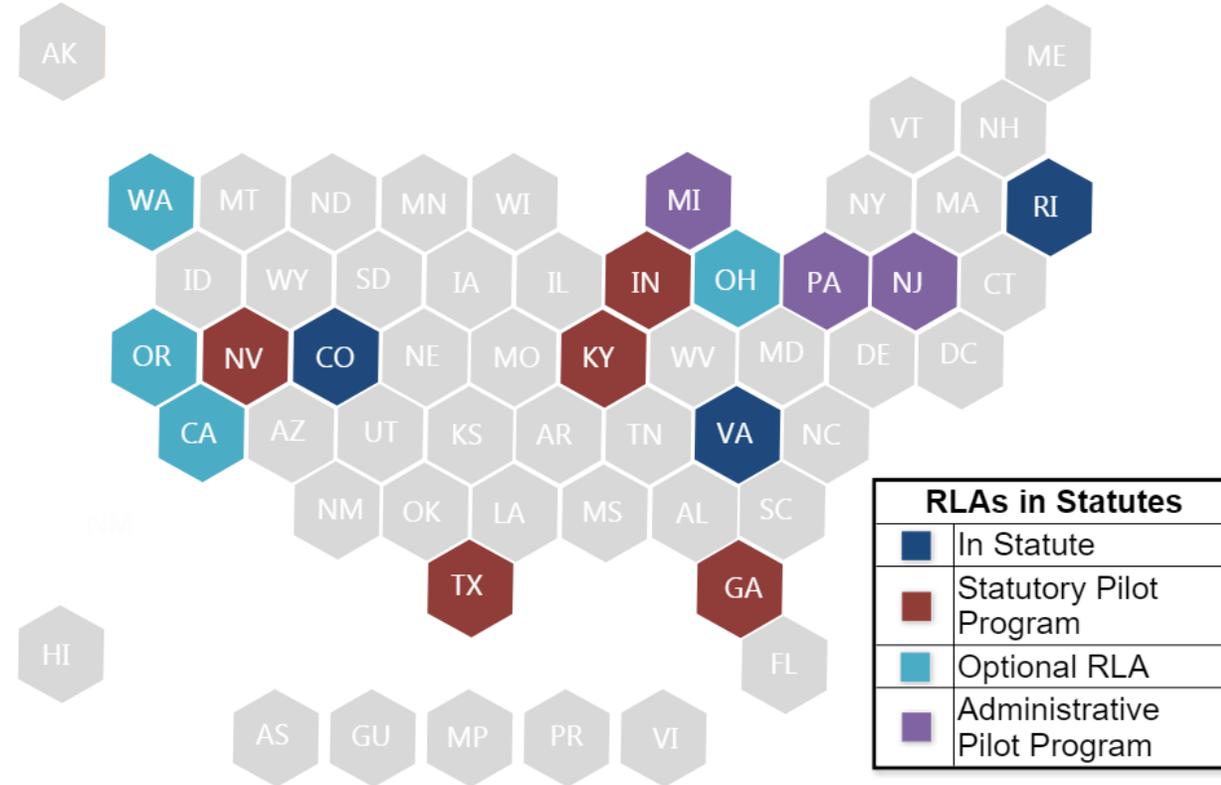


Services

Fees for maps, lists, running others' elections

Post-Election Audits

- KY, TX: Established risk-limiting audit pilot programs
- NV: Revised its risk-limiting audit pilot
- AL: Required one-time post-election audits in 2022
- NH: Created committee to study post-election audit counting devices

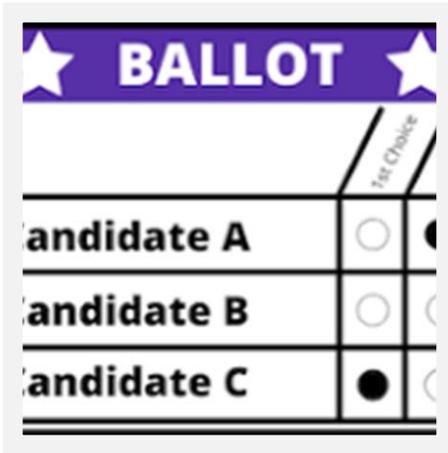


- AZ, AR: Prevent unauthorized access to election systems
- AR, MT: Require studies and/or election security assessments
- WA: Exempts election security information from public records requests



Cybersecurity

Other Election Trends



Ranked Choice Voting

Pro-RCV bills passed in CO, GA, ME and UT.



Poll Workers & Watchers

13 enactments in 11 states.



Voter List Maintenance

19 enactments in 14 states.



Felon Voting Rights

CT, NY, and WA restored voting rights to citizens on parole.



2022 Election Trends So Far

- Election officials
- Prohibiting private funding for elections
- Absentee/mail voting
- Voter registration list maintenance

Ethics and NCSL - Mark.Quiner@NCSL.org Has the Goods



Lobbying

Restrictions,
reporting, registering



Ethics Oversight

Commissions,
committees, internal
oversight.



Financial Disclosure

Public servants &
income,
relationships &
professions.



Conflicts of Interest

Decisionmaking
dilemmas.



Gift Laws

Influence and
limits.



NCSL Resources

- [State Elections Legislation Database](#)
- [2021 Election Enactments](#)
- [The Canvass](#)
- [Our webpage collection](#)
- Our elections team—we answer the phone!

Reach Out Anytime!

Wendy.Underhill@NCSL.org

303-802-6673

